UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK UNITED STATES OF AMERICA, **NOTICE OF MOTION** : S1 11 Cr. 59 (LAK) v. : CORREA, et al., This Motion is filed on behalf of defendant Rikelby Mella Defendants. ----X PLEASE TAKE NOTICE that upon the annexed affirmation of John F. Kaley, Esq., dated the 4th day of April 2011 ("Kaley Affirmation"), and the accompanying Memorandum of Law, counsel for the defendant Rikelby Mella moves this Court before the Honorable Lewis A. Kaplan, at a time and location to be set by the Court, for the following relief: 1. For an Order, pursuant to Federal Rules of Criminal Procedure 12 and 16; the Fifth and Sixth Amendments to the United States Constitution; and this Court's inherent supervisory powers, requiring the government to provide the information listed on Exhibit "A" to the Kaley Affirmation. 2. For an Order pursuant to Federal Rules of Criminal Procedure 8 and 14 severing the trial of this defendant and for severing counts contained in the Indictment. 3. For such other and further relief as this Court may deem just and proper. Dated: New York, New York April 4, 2011 John F. Kalev (JK:3598) Doar Rieck Kaley & Mack 217 Broadway, Suite 707 New York, New York 10007 212-619-3710 Attorney for Defendant Rikelby Mella To: AUSA Todd Blanche (via ECF filing and e-mail)